

**CALIFORNIA OFF-HIGHWAY MOTOR VEHICLE RECREATION
COMMISSION MEETING**

**FESTIVAL/JUBILEE ROOM
HILTON BURBANK AIRPORT AND CONFERENCE CENTER
2500 HOLLYWOOD WAY
BURBANK, CALIFORNIA 91505**

MAY 7, 2004

(MINUTES APPROVED OCTOBER 29, 2004, AS PRESENTED.)

COMMISSIONERS PRESENT

Robert F. Chavez, Vice Chair
Judith A. Anderson, Member
John E. Brissenden, Member
Michael F. Prizmich, Member
Harold M. Thomas, Member
Edward H. Waldheim, Member

COMMISSIONERS ABSENT

Paul J. Spitler, Chair

DIVISION STAFF PRESENT

Tim S. La Franchi, Legal Counsel, DPR
Anthony I. Perez, Chief, OHMVR Division
Terry Harper, Park Maintenance Chief III, OHMVR Division
Clark Woy, Associate Park & Recreation Specialist, OHMVR Division
Laurie J. Taylor, Executive Secretary, OHMVR Division
Sandra J. Elder, Commission Assistant, OHMVR Division

OFFICE OF THE ATTORNEY GENERAL

Kenneth J. Pogue, Deputy Attorney General

REGISTERED VISITORS

Dan Dungy, Hollister Hills SVRA
George Barnes, Sierra Club California
Dave Pickett, AMA District 36, M/C Sports Committee
John Steward, Cal 4 Wheel
Kathy Dolinar, Ocotillo Wells SVRA
Randy Banis, Death Valley Com.
Dave Oakleaf, AMA, District 37, Competition
Chris Roholt, BLM, CDD
Don Trammell, Trails Unlimited, F.S., USDA
Dean Greenwalt, Friends of Juniper Flats
Susan Phelps, AMA, District 37, Comp, Club 4 Aces Mc

CALL TO ORDER

Vice Chair Chavez called the meeting to order at 9:00 a.m., in the Festival/Jubilee Room, Hilton Burbank Airport and Conference Center, 2500 Hollywood Way, Burbank, California 91505.

PLEDGE OF ALLEGIANCE

Vice Chair Chavez led the meeting attendees in the Pledge of Allegiance.

ROLL CALL

Six members were present. Chair Spitler had an excused absence.

APPROVAL OF AGENDA

Commissioner Waldheim moved and Commissioner Brissenden seconded the motion to approve the agenda as presented. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF MINUTES

Commissioner Brissenden moved and Commission Anderson seconded the motion to approve the Minutes of the February 21, 2004 meeting as presented. MOTION CARRIED UNANIMOUSLY.

Commissioner Waldheim also brought to the attention of the Commission that there was a mistake in the December 5, 2003 minutes concerning grant OR-657, AMA Sounding Testing at Motorcycle & ATV Events 04. He indicated that his original motion did not stipulate the number of data forms to be turned in per year.

Instead of putting this issue on a future agenda, legal counsel advised a motion to amend the minutes was in order.

Commissioner Waldheim moved and Commissioner Prizmich seconded the motion to quote the motion verbatim from the tapes. MOTION CARRIED. ONE ABSTENTION.

“Ed Waldheim: Mr. Chairman, I would like to make the motion supporting OR-657 at staff’s recommendation with the following conditions that District 37 have qualified people to do the testing, that the referee when he fills out their report that has been sent to the AMA National Office after every event include the data of the testing and that a copy of that referee report with the data be forwarded to the division office or Mr. Ron Lewis so he can include it in his report or whichever way the staff feels like going. But the AMA does have a regular reporting affair regarding the event that they have to send to the AMA office so they can make it an integral part of their event. All these events are permitted through the Bureau and so Mr. Lewis and Mr. Barry Nelson have control of what is happening in those two resource areas where District 37 races.”

CALENDAR

Commissioner Waldheim indicated that the last two meetings of the calendar year are scheduled for Sacramento. To accommodate the grant applicants from Southern California the December meeting should be in the south.

Commissioner Waldheim moved and Commissioner Prizmich seconded the motion to change the location of the December 3, 2004 meeting to Ontario. MOTION CARRIED UNANIMOUSLY.

REPORTS

COMMISSIONER’S REPORTS

Commissioner Waldheim distributed his report of activities since the last meeting (see Attachment A).

Commissioner Brissenden's report and CD show on the OSV Recons of Inyo, Toiyabe and Stanislaus National Forests and Yosemite National Park will be agendized for the next regular meeting.

DIVISION CHIEF'S REPORT

Division Chief Perez's report consisted of the status of SRVAs and other Division business as well as a brief report on the Fuel Tax Study (see Attachment B).

Commissioner Thomas requested to see the preliminary study. Mr. Perez stated that the information in the preliminary study would not be accurate.

Vice Chair Chavez asked Commissioner Thomas and Division Chief Perez to work out the situation.

FEDERAL GOVERNMENT REPORTS

Dr. Rich Farrington, USFS, provided the Commission with a quarterly report (see Attachment C), a news release on "Draft Management Plans Issued for Southern California National Forests: Public Review Invited; Open Houses Scheduled" (see Attachment D), and an "OHV Route Inventory Report for OHMVR Commission Briefing"(Attachment E).

Mr. Jim Keeler, BLM, gave his quarterly report on OHV activities for the Bureau of Land Management in California (see Attachment F).

Commissioner Waldheim thanked both Dr. Farrington and Mr. Keeler for their informative reports. He also congratulated Ruth Coleman and Daphne Greene on their recent appointments as Director of Parks and Recreation and Deputy Director of the Off-Highway Motor Vehicle Recreation Division.

SUBCOMMITTEE REPORTS

Commissioner Waldheim indicated that the Grants Subcommittee would be getting together as soon as a date is set.

NEW BUSINESS

MINOR CAPITAL OUTLAY

Staff recommended that all the wash rack requests be deleted as there is funding in the support budget over the next year or so to cover these development projects.

Commissioners asked staff to provide maps in future requests in order to know where these projects are located within each SVRA.

Commissioner Waldheim moved and Commissioner Prizmich seconded the motion to accept staff recommendation for the remaining six Minor Capital Outlay Budget Proposals (see Attachment G). MOTION CARRIED UNANIMOUSLY.

DISCUSSION ON COMMISSION'S PUBLIC INPUT MEETING OF 2-21-04

Division Chief Perez presented the "Executive Summary/OHMVR Commission Public Workshop of February 21, 2004" (see Attachment H). This material will be included in the Division's "Strategic Plan" which has a legislative requirement for completion in June 2005.

Commissioner Waldheim commended staff for this document.

HR 3247, "TRAIL RESPONSIBILITY AND ACCOUNTABILITY FOR THE IMPROVEMENT OF LANDS ACT (TRAIL ACT) OF 2003

After much discussion about the federal legislation Congressman McInnis introduced to deter unlawful abuse on federal lands, the Commission felt it was too soon to provide support of this legislation. The Commission will wait until other user groups have done their research and indicate if their groups are in support of this legislation.

ELECTION OF OFFICERS

Commissioner Brissenden moved and Commissioner Waldheim seconded the motion to re-elect the current officers. MOTION CARRIED UNANIMOUSLY.

REVIEW OF COMMITTEE MEMBERSHIPS

Vice Chair Chavez stated he will abolish all past committees of the OHMVR Commission and will establish the following standing committees:

- Grants and Cooperative Agreements
- Stakeholders
- Law Enforcement
- Awards and Recognition
- Route Designation and Trail Maintenance
- Conservation
- SVRA Planning, Acquisition, Development, Operations, Concessions, and Citizen Participation

The Chair and the new Deputy Director can work out the membership of these new standing committees, which shall consist of two members only in order to conform to the "Open Meeting Act."

Vice Chair Chavez stated that the Ad Hoc Law Enforcement Subcommittee would continue until the new Law Enforcement Standing Committee is established.

PUBLIC COMMENT, AGENDIZED AT 11:00 A.M.

The following people spoke on various items not on the agenda:

Don Trammell, Trails Unlimited, USFS: He indicated his group will be holding public meetings and can get forms from the various USFS offices.

Dean Greenwalt, Property Owner and Friends of Juniper Flats: He expressed concern that there are non-compliance OHV problems in the Juniper Flats area. Reports are being submitted but received no response. He stated a planning effort and enforcement plan is needed.

Vice Chair Chavez asked staff to determine if grants are being given and used for this purpose.

John Steward, CA 4 Wheel: He informed the Commission members that various forest plans are being implemented but there is no standardized wording used.

Susan Phelps, AMA District 37: There was route designation documentation on BLM lands done in the 1970s or 1080s. Is this information being used and has it been lost?

Vice Chair Chavez asked staff or Mr. Keeler to check into this.

Commissioner Thomas requested the law enforcement bill be agendaized for the next meeting.

Commissioner Thomas also asked staff to report back at the next meeting on the Juniper Flat issue as reported by the landowner.

Commissioner Thomas asked that a request be sent to the Attorney General for an Advice letter on the asbestos liability issue associated with Clear Creek.

ADJOURNMENT

Commissioner Brissenden moved and Commissioner Prizmich seconded the motion to adjourn the meeting at 11:40 a.m. in order to tour Rowher Flat, Angeles National Forest.

Anthony I. Perez, Chief
California State Parks
OHMVR Division

Sandra J. Elder
Commission Assistant
OHMVR Division